

Indeed that travellers have the feeling of moving over a trestle.

MANY PASSENGERS HAD LEFT BERTHS. When Jim Ryan took the Century through Hyde Park a few minutes before 9 o'clock most of the passengers were out of bed, busy with their breakfast or making their toilet. In the library smoking car half a dozen men, early risers from the West, were chatting over after breakfast cigars.

A dozen or fifteen men and women were at tables in the diner.

In the Phelps, the sleeper that was fourth in the string, were a number of women who had taken their time about getting up. Several were invisible behind drawn curtains. Others were sitting on the edge of their berths dressing. In the Horeyo, Mancelone and Bay Pond passengers were getting fixed up for New York. There were just three people in the observation car, Pullman Conductor F. D. Lee, E. B. Wheeler of Chicago and Mrs. R. S. Curley, the colored maid. Mr. Wheeler had been talking with Harold McCormick.

Just clear of Bowman's Cut, but still on a west turning curve, the train found the weak rail. Locomotive and smoker hummed safely over. The forward trucks of the sleeper Horeyo made, but the outer wheels of the rear truck kicked and slewed and tore through the flawed steel. The jerk broke the coupling that held the Horeyo to the smoker, and locomotive, tender and smoker went booming southward until Engineer Ryan feeling the queer, light pull shut off power and reversed a quarter of a mile below where his train was breaking to pieces.

At the same time the Horeyo was away and rolling drunkenly half on, half off the track, her rear trucks tearing up the outermost rail as the spikes were cut through. But the first sleeper slowed before the direction of the curve could hunch it over the bank. It stuck 1,300 feet from the break and came in handy later as a hospital car.

The Mancelone, hitting the break next, slewed off the track, tipped up rail and crossties for 150 feet and then shot toward the river. The car took a freakish twist. Upheld by the ice, it turned almost to the right about, heading up stream, and then tumbled over on its right side. The Phelps, following, plunged straight for the ice and there stuck, wedged tightly. The twenty inch freeze gripped the car and kept it upright. In a few cases for coats covered the thinnest of sleeping garments.

Men wandered about humorously inquiring if anybody had an old hat that wasn't working or if any one could please spare a coat, just one little coat. Some of the deficiencies were supplied after a fashion. It was cold, miserable waiting, and the passengers were thoroughly glad when they were placed on the second section of the Twentieth Century and started for this city.

RELATIVES THROUGH STATION. The second section arrived at the Grand Central Terminal at 1:10 P. M. Long before it came in friends and relatives of the first section's passengers had thronged the space about the bulletin board inquiring for news. By noon the railroad officials were able to supply a list of the injured and to assure every one that nobody had been hurt fatally. Then the caller announced the second section and there was a rush to the gates. Every passenger who appeared at the station found some one to hail him gladly and there was a great deal of rejoicing.

There were women curiously attracted but smiling happily, men with overcoats but no hats, men with hats but no coats at all. Some carried water-soaked, battered bits of baggage. A man named Briester, who said his home was in Cincinnati, said he had lost a valise containing \$5,000 worth of jewelry. Nearly all of the men passengers stopped long enough in the station to explain what they had been through.

Those who were too severely injured to walk were carried from the terminal stretchers and taken to the hospital. Those who had booked accommodations or, in a few instances, to hospitals. Thomas C. Willard of Cleveland was wheeled in a chair through the depot and placed in an automobile which took him to the Waldorf-Astoria. Mr. Willard, all the way out to his car, kept up cheerfully a running story of the wreck and what he had seen when most things were doing.

NEW YORK CENTRAL'S STATEMENT. Later in the afternoon the New York Central issued this statement as to the cause of the accident and as to who were injured: The last five cars of the first section of the Twentieth Century Limited were derailed at a point one and a half miles south of Hyde Park station. Four cars toppled over the embankment into the river and were partly submerged. The fifth car, the first of the five to be derailed, landed against a boulder at the side of the track and did not go into the river.

Everybody was able to get out of the cars and fortunately none of the passengers was fatally injured. The injured are as follows: BAYCE, J. R., Pullman car porter, bruised. COVENEY, F. E., porter, cut and bruised. DEAN, W., porter, cut and bruised. GREELEY, WILLIAM LEWIS, 237 West 136th street, New York city, bruised elbow. HILTON, GEORGE E., porter, bruised. KEEFER, E. S., 254 Williamson street, Elizabeth, N. J., cut and bruised; home. KOCHS, AUGUST, 509 Fifth Building, Chicago, slightly bruised. MCKICKEN, MRS. JENNIE, 2413 Auburn

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avenue, Cincinnati, rib broken; to the railroad hospital and to the home of Col. I. K. Ford, 156th street and Broadway.

NEW, L. 530 Michigan avenue, Chicago, injured hand, bruised.

OTTENHEIM, L. S., Toledo, Ohio, knee cut.

REDINGTON, C. C., 4225 North Lincoln avenue, Chicago, both hands hurt.

STRONG, J. R., 9 East Thirty-ninth street, New York city, head bruised and cut.

STRAUSS, JOSEPH, Kansas City, Mo., hand cut.

SWEENEY, PATRICK H., 847 President street, Brooklyn, cut by glass; attended at railroad hospital and home.

WHITE, MRS. A. B., The Warring, Lexington avenue, New York city, arm cut and shock; to New York hospital.

WHEELER, FRED B., 208 South street, Chicago, shoulder dislocated.

WILLARD, THOMAS C., 150 East Eighty-first street, Cleveland, Ohio, rib broken; to Waldorf-Astoria.

It has been definitely determined that the car was a broken rail laid in 1910. The train was running at below its average speed, at a rate of about forty-five miles an hour.

which overtook the Twentieth Century Limited. Mr. Morrison thinks the railroads have increased the weight of locomotives and cars at a rate which is all out of proportion to the improvement of roadbeds.

"During the past ten years," he said, "the weight of locomotives has increased 33 per cent, and the weight of cars at almost the same proportion. The roadbed, on the other hand, is in practically the same condition as ten years ago. While there has been a slight increase in the size and weight of rails, methods of fastening the rails to ties, the ballast, and the general construction of the roadbed have made no change in the last decade.

"In this respect the railroads have not taken advantage of recent developments and not even kept pace with European practices. In countries where hard wood treated ties and the plates supporting the rail, all fastened together with screws and bolts, have been used, the percentage of wrecks has decreased, although the

initial cost of construction was considerably greater."

Mr. Morrison thinks the common rail spike is insufficient to keep the rails in place. He proposes instead screw spikes, which are not so easily torn out.

"It should be remembered," he went on, "that the late E. H. Harriman when he appeared before the Interstate Commerce Commission some four years ago expressed what then appeared radical ideas as to the size of locomotives and cars, the weight of rails and ballast of roadbed, which must prevail in the course of a comparatively short time.

"In 1901 the percentage of total cost of operation which was paid for maintenance of way and structures was 22.3 per cent. In 1910 the cost was reduced to 20.5 per cent. During the same period the expenditures for main tenance of equipment increased from 18.6 per cent. of total operating cost to 23.2 per cent. In addition to this must be borne in mind the fact that the greatest sum spent in purchasing heavier equipment has not been charged to maintenance of equipment but to capital account. On the other hand there have been very few expenditures for heavier rails, better ballast or other track improvements which have not been charged to maintenance of way and structures. The average tractive force per locomotive was 20,480 pounds in 1902, while it was 27,500 pounds in 1910, or an increase of 33 per cent. This means that the modern engines are pounding the rails and the ballast and the ties just that much harder and that the ties and the rails and ballast have no greater resisting power than they had ten years ago.

"During the same period of the last decade the density of traffic has enormously increased, so that with the roadway little heavier than it was at the time of the lighter rolling stock there is consequently a greater volume of traffic being carried over the rails during a given period."

Mr. Morrison, speaking of a wreck like that on the Lehigh Valley near Rochester last summer, where it was established that the cause was a broken rail, said it was hard to fix the responsibility for such accidents.

"The railroads say they don't get good steel in their rails," he observed, "and the steel men say the railroads do not give the rails sufficient support. By that they mean the ballasting is inadequate. It may fall away from under one tie leaving a wide gap of unsupported rail between two firmly imbedded ties. The weight of a train may bend this rail to the breaking point and throw the cars into the ditch. Most of us have seen how rails, even on what are called good roadbeds, bend and away under the weight of a fast train."

Mr. Morrison said that sometime concrete ties might be used, but he remarked that at present no concrete ties have been made which are strong enough to stand constant pounding or to give proper resiliency for the passage of a train.

SENATE PASSES BILL MAKING THEM REFEREES ON RETIREMENT.

ALBANY, March 13.—By a vote of 29 to 14 the State Senate to-day passed Senator Black's bill extending the New York county retired Supreme Court Justices referee law to Kings county and providing further that a Supreme Court Justice in these two districts who retires at the age of 65 after serving fourteen years may become an official referee at a salary of \$10,000 a year.

The bill will benefit former Justice Dickiey immediately and Justice Mearns at the end of the year.

SENATOR SAYS GETTING BETTER.

State Senator John G. Sax, who has been ill with mastoiditis for the last ten days at the Hotel Seymour, was much better last night. It is thought he will be out in three or four days, although he will not be able to resume work for about two weeks.

SAY WRECK SHOWS RAIL CAN'T STAND HIGH SPEED

Commerce Commission Officials Believe Limit of Pressure Has Been Passed.

START INQUIRY AT ONCE

Inspectors Sent to Scene of Century's Accident to Take Possession of Broken Steel.

WASHINGTON, March 13.—The wreck on the New York Central Railroad of the Twentieth Century Limited at Hyde Park, N. Y., to-day is said by officials of the Interstate Commerce Commission

death of 106 persons and injuries to 4,112 persons.

It was stated at the commission to-day that officials of railroad companies and of steel manufacturing plants are making careful investigations on the subject and apparently are determined to locate the difficulty and to correct it.

Chief Inspector Henry Belnap of the commission is now conducting investigations into wrecks caused by broken rails in the West and will report on the subject to the commission in a short time, when it is believed the commission will make a strong recommendation for the necessary appropriation to start the investigation which it believes is necessary and desirable.

24 HOUR TRAIN WRECKED.

Two Trainmen and a Tramp Killed and Nineteen Passengers Injured.

INDIANAPOLIS, March 13.—Big Four passenger train No. 20, the twenty-four hour New York train, was wrecked at Green Castle near midnight last night.

Three persons were killed, two trainmen and a tramp, and nineteen passengers were injured, among them J. H. Summers, a grain broker of New York.

The wreck was caused by the passenger train running into an extra freight that was standing on the main track just east of the railway station.

The freight had orders to take the east-bound track at Dalmier and came to the Green Castle switch, where it was to wait until the passenger train passed.

Instead of taking the siding, it remained on the main track, the engineer supposing that the passenger train would take the westbound track. The freight was just in the act of covering the headlight of the freight when he saw the passenger train coming over the eastbound track, the crossing over to the other track, taking place as expected. John Milam, engineer of the freight, was asleep in his cab and was killed.

That there were no fatalities among the passengers is due to the fact that the steel cars were not telescoped but shot past the engine into the ditch.

PROTEST OF MARKET MEN.

Fliers Lengthened Inland Would Destroy West Washington Market.

Dock Commissioner Tomkins's plan for getting new 300 foot piers on the North River by taking inshore space was opposed yesterday by the tenants of West Washington Market as a hearing held by the Sinking Fund Commission. They said it would destroy the market and ruin the business of the 400 or 500 dealers, many of whom have spent large sums in refrigerating and other plants. It was also urged that the market was one of the most important food distributing centres in the city, and ought not to be destroyed unless provision was made for relocating nearby.

The commission adjourned the hearing for two weeks, and in the meantime a bill will be sent to the Legislature permitting the city should it see fit to remove the market to another site.

Commissioner Tomkins said after the meeting that while he would like his pier plans to be adopted, he thought that the market men ought to be accommodated in another building, and that he intended to advise the establishment of a new market if the old one should be torn down.

Mr. Tomkins opposed the proposal recently made by the Finance Department that the leasing of docks and wharves rights should be put up to public bidding instead of being in the discretion of the Commissioner.

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COURT CONSOLIDATES DYNAMITE CHARGES

Alleged Wreckers Will Be Called Upon to Answer to Only One Conspiracy.

THE GOVERNMENT ACCEPTS

District Attorney Explains That Supreme Court Decision Makes Fewer Indictments Necessary.

INDIANAPOLIS, March 13.—Judge Anderson of the Federal Court to-day outlined his attitude toward the indictments against the alleged dynamiters when he ordered the thirty-two conspiracy indictments consolidated into one.

He said that he would not expect the defendants to answer to more than a conspiracy charge. This leaves one indictment of 128 separate counts, 100 of which charge specific violations of the law in respect to the transportation of explosives and 28 charge conspiracy. Of the latter the Judge intimated that no defendant would be expected to defend himself against more than one charge.

"I'll say right now," said Judge Anderson, "that I'll never submit to the jury the question as to whether these defendants have violated the law against conspiracy about thirty times in one conspiracy."

If consolidation is made, probably at the close of the Government's evidence in the case a motion would be made by the defence that the Government elect on which charge the case will be submitted to the jury, and probably the court would sustain such a motion. In no event will the jury in this case be required to go through this enormous mass of indictment and see to which particular conspiracy indictment the evidence applies.

He pointed out that if there were consolidation the interests of the defendants ought not to be placed in jeopardy by the large number of charges and possible confusion arising because of this, and pointed out that to protect the defendants the court would "weed out" a large number of the charges before the jury passed on the case, and could instruct the jury to give consideration to certain charges only.

The District Attorney recently held before his formal ruling was entered was assented to by District Attorney Miller, who said that the Government would be satisfied with such a course. Attorney Alfred Hovey on behalf of the attorneys for all the defendants, however, took exception to the ruling of the court, although this was regarded merely as a technical precaution.

It came out in the argument to-day that the statute of limitations cannot be pleaded in any of the cases successfully for the Supreme Court has recently held in two conspiracy cases that the statute of limitation did not begin to operate until the last overt act had been committed. The District Attorney said at the time the indictments were drawn, said the District Attorney, there would no doubt have been fewer indictments.

The United States Court of Appeals in this circuit had decided that the statute of limitations began to run from the time of the first overt act in furtherance of the conspiracy and there were other decisions which held that it began to run from the time of the last overt act. Hence different dates were charged and a different length of time covered by different indictments, although some of them covered all the periods.

Wants Monument to McCarren.

ALBANY, March 13.—Assemblyman Garvey introduced a bill to-day appropriating \$30,000 for a monument to the memory of Senator Patrick H. McCarren. The measure provides for a commission of two Senators and three Assemblymen to carry out the project.

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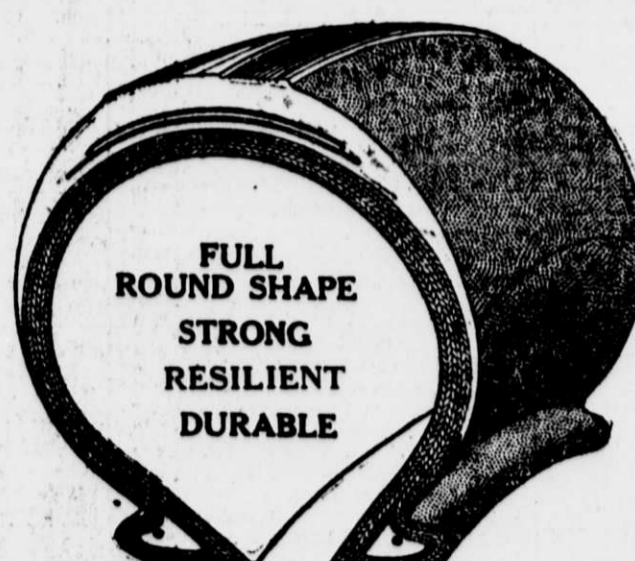
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